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Timothy DeWitt

410-295-5096

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**JUL 06 2004**

In re Application of:

EDFELDT, Michael Paul

Appl. No.: 10/797,319

Filing Date: March 10, 2004

Title: Submarine Pipeline Spoiler

Group Art Unit: 3673

Examiner: To Be Assigned

Atty. Docket: 4031.002

**OFFICIAL**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

I. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

2. The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. Attached is our check no. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).

3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Attached is our check no. \_\_\_\_\_ in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(i)(1).

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

4. Relevance of the non-English language document(s) is discussed in the present specification. See pages \_\_\_\_\_ of the specification of the present application.

5. The document(s) was/were cited in a corresponding foreign application.  A copy of a search report issued in the foreign application is attached.  An English language version of the foreign search report is attached for the Examiner's information. M.P.E.P. § 609 (A)(3).

6. A concise explanation of the relevance of the non-English language document(s)  is attached hereto or  appears below.

7. The Examiner's attention is directed to co-pending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is

respectfully requested to consider the cited application and the art cited therein during examination.

8. Copies of the documents were cited by or submitted to the Office in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

9. Other:

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-2837

Respectfully submitted,

DeWitt Roggin PLLC

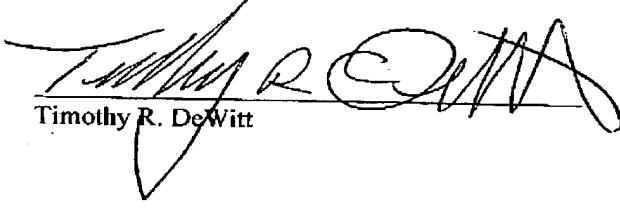
By:   
Timothy R. DeWitt  
Reg. No. 35,857

Date: July 6, 2004

DeWitt Roggin PLLC  
1455 Pennsylvania Ave., N.W.  
Washington, D.C. 20004  
410-212-2539

#### Certificate of Transmission

I hereby certify that this Information Disclosure Statement and attached PTO From 1449 are being facsimile transmitted to the U.S. Patent and Trademark Office Central Fax No. on July 6, 2004.

  
Timothy R. DeWitt

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Substitute for form 1449/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

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**Complete if Known**

Application Number	10/797,319
Filing Date	March 10, 2004
First Named Inventor	EDFELDT, Michael Paul
Art Unit	3673
Examiner Name	
Attorney Docket Number	4031.002

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		EP 0466219 B1	01-15-1992		
		EP0717223 B1	06-19-1996		

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by Translation is attached. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.